

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

**UNITED STATES OF AMERICA and
PEOPLE OF THE VIRGIN ISLANDS**

v.

JAMES E. CLARKE,
Defendant.

INDICTMENT

Criminal No. 2011 - *D4*

18 U.S.C. § 922(q)
(Possession of a Firearm in a
School Zone)

14 V.I.C. § 2253 (a)
(Carrying of Firearms)

THE GRAND JURY CHARGES THAT:

COUNT ONE

On or about January 5, 2011, at St. Thomas, in the District of the Virgin Islands, the defendant,

JAMES E. CLARKE,

did knowingly possess a firearm, that is, a Ruger P95 9mm automatic pistol, Serial # 314-90135, that moved in interstate commerce, within a distance of 1000 feet of the grounds of the Ulla Muller Elementary School, a place that the defendant knew and had reason to believe was a school zone.

In violation of Title 18, United States Code, Sections 922(q)(2)(A) and 924(a)(4).

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THE GRAND JURY FURTHER CHARGES THAT:

COUNT TWO

On or about January 5, 2011, at St. Thomas, in the District of the Virgin Islands, the defendant,

JAMES E. CLARK,

did without authority of law, possess a concealed firearm, that is, a Ruger P95 9mm automatic pistol, with a serial number of 314-90135.

In violation of Title 14, Virgin Islands Code, Section 2253(a).

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FORFEITURE ALLEGATIONS

Upon conviction of the offense alleged in Count One of this ~~Information~~, defendant,

JAMES E. CLARKE,

shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of the offenses, including but not limited to the following:

FIREARM OR AMMUNITION

Ruger P95 9mm automatic pistol, with a serial number of 314-90135.

24 Rounds of 9mm ammunition

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

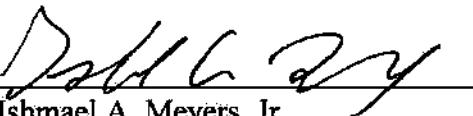
it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

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The Grand Jury returned a TRUE BILL.

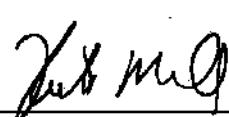
RONALD W. SHARPE
UNITED STATES ATTORNEY

By: 
Ishmael A. Meyers, Jr.
Assistant United States Attorney

SPC
C-11-107
B-107

DISTRICT OF THE VIRGIN ISLANDS: February 3, 2011

Returned into the District Court by Grand Jurors and filed.


UNITED STATES MAGISTRATE JUDGE

WILFREDO R. MORALES
Clerk of the Court

By: 
Claudette P. Prince
Deputy Clerk